



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

14/13
12/3/02

Applicant: Andrzej KILIAN
Title: METHODS FOR GENOTYPING BY HYBRIDIZATION ANALYSIS
Appl. No.: 09/820,328
Filing Date: March 29, 2001
Examiner: Frank Wei Min Lu
Art Unit: 1634

AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is responsive to the Office communication mailed July 16, 2002, concerning the above-referenced patent application. Since the three-month shortened statutory period for response expired on October 16, 2002, this response is accompanied by a Petition for a one (1) month extension of time and appropriate fee. Nevertheless, if this response lacks in the payment of any fees, the Commissioner is authorized to make appropriate charges or credits to Deposit Account No. 19-0741.

Please amend the application as follows.

IN THE CLAIMS

Please cancel claims 23-40 without prejudice or disclaimer.

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REMARKS**I. Status of the claims**

Applicant acknowledges, but does not concur with, the examiner's rationale for maintaining the species election requirement in the present Action. Claims 1-40 are pending. Claims 23-40 have been cancelled without prejudice or disclaimer. Of course, applicant reserves the right to file one or more divisional applications to the non-elected subject matter. No claims have been amended. Claims 1-22 are allowed.

II. Summary of the Office Action

Claims 1-22 were allowed while claims 23-40 were withdrawn from consideration. The examiner also noted that the application fails to comply with the requirements of 37 CFR 1.821-1.825. Finally, the drawings were objected to for various formatting issues.

III. The Present Application is in Condition for Allowance

Applicant cancelled herein withdrawn claims 23-40. Applicant also provides herewith paper and electronic copies of the Sequence Listing prepared for the corresponding PCT application (PCT/IB01/00833) of the present application. Also provided is the Statement signed by James Coburn that the Sequence Listing does not include matter which goes beyond the content of the application.

Applicant also submits herewith corrected formal drawings in response to the Draftperson's remarks on the form PTO 948.

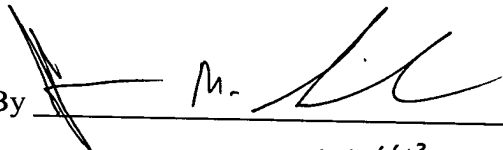
IV. Conclusion

In view of the foregoing, it is respectfully urged that claims 1-22 are allowable and that the present application is in condition for allowance. Accordingly, an early notice of allowance is earnestly solicited. Should there be any questions, Examiner Lu is courteously invited to contact the undersigned attorney at the telephone number shown below.

Respectfully submitted,

Date: November 18, 2002

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